

# **SYNOPSIS OF PROPOSED CHANGES TO THE HOUSE RULES OF PROCEDURE 74TH LEGISLATURE - 1995**

**H.R. 5 by Wilson**

**Note: Many of the proposed changes require language changes to be made to several different sections of the rules. In this synopsis, a proposed change is described under the rule in which the significant portion of the changes has been made.**

## **Statement of Authorization and Precedence**

1. A Statement of Authorization and Precedence has been added which cites the constitutional authority under which the house rules are adopted.  
(page 2)

## **Rule 1--Duties and Rights of the Speaker**

2. The provisions relating to the creation of select committees have been clarified to expressly give select committees the powers granted under the rules to standing committees, except as limited in the proclamation creating the select committee.  
(Rule 1, Section 16--pages 7-8)

## **Rule 2--Employees**

3. In the sections of the rules relating to the receipt of recommendations on a bill subject to Article XVI, Section 59, of the Texas Constitution, the reference to the Texas Water Commission has been changed to a reference to the Texas Natural Resource Conservation Commission.  
(Rule 2, Section 1(a)(5)--page 9; Rule 2, Section 2(1)(K)--page 14)
4. The authority of the chief clerk to amend the caption of a house document on enrollment has been clarified.  
(Rule 2, Section 1(a)(10)--page 11)
5. The responsibility of operating the voting system has been transferred from the reading clerks to the voting clerk, and the supervision of the reading clerks has been transferred from the journal clerk to the speaker.  
(Rule 2, Sections 3 and 7--pages 16 and 18-19;  
Rule 5, Sections 46, 48, and 58--pages 100, 101, and 104)

### Rule 3--Standing Committees

**Note:** Some changes have been made to the committee structure. Under the proposed rules, there will be 36 standing committees--29 substantive committees and 6 procedural committees. Each procedural committee will have 11 members and each substantive committee will have 9 members, except for: (1) the Appropriations Committee, which will have 27 members; (2) the General Investigating Committee, which will have 5 members; (3) the State Affairs Committee, which will have 15 members; and (4) the Ways and Means Committee, which will have 11 members. This document does not discuss changes made to the names of agencies to reflect the action of a previous legislature. Following is a description, by committee, of the significant changes between the committee structure of the 73rd Legislature and the proposed committee structure for the 74th Legislature:

- Section 1.     **AGRICULTURE AND LIVESTOCK.** This committee has the jurisdiction of the former Agriculture and Wildlife Management Committee--  
    **Minus:**  
    (1) jurisdiction over parks and wildlife-related matters, which is transferred to the new State Recreational Resources Committee; and  
    (2) jurisdiction over the Poultry Improvement Board, the Dairy Advisory Board, and the Family Farm and Ranch Advisory Council, which were abolished;  
    **Plus:**  
    (1) jurisdiction over the South Central Interstate Forest Fire Protection Compact, which is transferred from the Natural Resources Committee.
- Section 2.     **APPROPRIATIONS.** No change.
- Section 3.     **BUSINESS AND INDUSTRY.** No change.
- Section 4.     **CALENDARS.** No change.
- Section 5.     **CIVIL PRACTICES.** This is a new committee with jurisdiction over civil practices and remedies, civil procedure, administrative law, and permission to sue the state. The committee's specific jurisdiction is transferred from the Criminal Jurisprudence and Judicial Affairs Committees.
- Section 6.     **CORRECTIONS.** This committee has the jurisdiction of the former Corrections Committee--  
    **Minus:**  
    (1) jurisdiction over the Texas Juvenile Probation Commission, which is transferred to the new Juvenile Justice and Family Issues Committee; and  
    (2) jurisdiction over the Texas Work Furlough Program Advisory Board and the Texas Punishment Standards Commission, which were abolished.
- Section 7.     **COUNTY AFFAIRS.** This committee has the jurisdiction of the former County Affairs Committee--  
    **Minus:**  
    (1) implied jurisdiction over annexation, which is transferred to the new Land and Resource Management Committee.
- Section 8.     **CRIMINAL JURISPRUDENCE.** This committee has the jurisdiction of the former Criminal Jurisprudence Committee--  
    **Minus:**  
    (1) jurisdiction over fines and penalties arising under civil laws, which is transferred to the new Civil Practices Committee; and  
    (2) jurisdiction over the Advisory Council on Juvenile Services, which is transferred to the new Juvenile Justice and Family Issues Committee.

- Section 9. ECONOMIC DEVELOPMENT. This committee has the jurisdiction of the former Economic Development Committee--  
**Plus:**  
(1) jurisdiction over the Council on Workforce and Economic Competitiveness, which was created by the 73rd Legislature.
- Section 10. ELECTIONS. No change.
- Section 11. ENERGY RESOURCES. This committee has the jurisdiction of the former Energy Resources Committee--  
**Minus:**  
(1) specific jurisdiction over the General Land Office and the land boards, which is transferred to the new Land and Resource Management Committee;  
**Plus:**  
(1) jurisdiction over the Texas Energy Coordination Council and the Texas Committee on Energy Policy, which were created by the 73rd Legislature.
- Section 12. ENVIRONMENTAL REGULATION. This committee has the jurisdiction of the former Environmental Regulation Committee--  
**Minus:**  
(1) specific jurisdiction over the General Land Office and Coastal Coordination Council, which is transferred to the new Land and Resource Management Committee; and  
(2) specific jurisdiction over the Air Control Board and the Texas Water Commission, which were abolished;  
**Plus:**  
(1) jurisdiction over the Texas Low-Level Radioactive Waste Disposal Compact Commission, which was created by the 73rd Legislature.
- Section 13. FINANCIAL INSTITUTIONS. This committee has the jurisdiction of the former Investments and Banking Committee--  
**Minus:**  
(1) jurisdiction over retirement systems and the State Securities Board, which is transferred to the new Pensions and Investments Committee;  
**Plus:**  
(1) jurisdiction over the Bond Review Board and the Texas Public Finance Authority, which is transferred from the State Affairs Committee;  
(2) specific jurisdiction over the regulation of state and local bonded indebtedness; and  
(3) jurisdiction over the State Depository Board, which was not previously assigned to a committee under the rules.
- Section 14. GENERAL INVESTIGATING. No change.
- Section 15. HIGHER EDUCATION. This committee has the jurisdiction of the former Higher Education Committee--  
**Minus:**  
(1) jurisdiction over the Board for Lease of University Lands, which is transferred to the new Land and Resource Management Committee; and  
(2) an obsolete reference to the Texas University Systems.
- Section 16. HOUSE ADMINISTRATION. No change.
- Section 17. HUMAN SERVICES. No change.

- Section 18. INSURANCE. This committee has the jurisdiction of the former Insurance Committee--  
**Minus:**  
(1) jurisdiction over the State Board of Insurance, which was abolished;  
**Plus:**  
(1) jurisdiction over the Texas Health Benefits Purchasing Cooperative, which was created by the 73rd Legislature.
- Section 19. JUDICIAL AFFAIRS. This committee has the jurisdiction of the former Judicial Affairs Committee--  
**Minus:**  
(1) jurisdiction over civil practices and remedies, civil procedure, administrative law, and permission to sue the state, which is transferred to the new Civil Practices Committee; and  
(2) implied jurisdiction over the Family Code and juvenile delinquency, which is transferred to the new Juvenile Justice and Family Issues Committee.
- Section 20. JUVENILE JUSTICE AND FAMILY ISSUES. This is a new committee with the implied jurisdiction of the former Judicial Affairs Committee over the Family Code--  
**Plus:**  
(1) jurisdiction over the Texas Juvenile Probation Commission, which is transferred from the Corrections Committee; and  
(2) new specific subject matter jurisdiction over juvenile delinquency and gang violence and criminal law and procedure as it relates to juveniles.
- Section 21. LAND AND RESOURCE MANAGEMENT. This is a new committee with specific jurisdiction over property rights issues, annexation, and land use and zoning--  
**Plus:**  
(1) specific jurisdiction over the General Land Office, which is transferred from the Energy Resources and Environmental Regulation Committees;  
(2) specific jurisdiction over the Coastal Coordination Council, which is transferred from the Environmental Regulation Committee; and  
(3) specific jurisdiction over the Veterans' Land Board and the School Land Board, which is transferred from the Energy Resources Committee, and jurisdiction over the Board for Lease of University Lands, which is transferred from the Higher Education Committee.
- Section 22. LICENSING AND ADMINISTRATIVE PROCEDURES. This is the jurisdiction of the former Licensing and Administrative Procedures Committee--  
**Plus:**  
(1) jurisdiction over the Texas Lottery Commission, which was created by the 73rd Legislature.
- Section 23. LOCAL AND CONSENT CALENDARS. No change.
- Section 24. NATURAL RESOURCES. This committee has the jurisdiction of the former Natural Resources Committee--  
**Minus:**  
(1) jurisdiction over the Office of South Central Interstate Forest Fire Protection Compact, which is transferred to the new Agriculture and Livestock Committee; and  
(2) jurisdiction over the Texas Water Commission, which was abolished.
- Section 25. PENSIONS AND INVESTMENTS. This is a new committee with the retirement system-related jurisdiction of the former Investments and Banking Committee. The committee would also have jurisdiction over the State Securities Board and the regulation of the sale of investments and securities to the private sector.

- Section 26. PUBLIC EDUCATION. This committee has the jurisdiction of the former Public Education Committee--  
**Minus:**  
(1) jurisdiction over the Advisory Council for Technical-Vocational Education, the State Textbook Committee, the Teachers' Professional Practices Commission, and the Commission on Standards for the Teaching Profession, which were abolished.
- Section 27. PUBLIC HEALTH. This committee has the jurisdiction of the former Public Health Committee--  
**Minus:**  
(1) jurisdiction over the Dental Care Advisory Committee, the Hospital Advisory Council, and the Sanitarian Advisory Committee, which were abolished;  
**Plus:**  
(1) jurisdiction over the Texas State Board of Acupuncture Examiners, the Health Professions Council, the Texas Board of Occupational Therapy Examiners, and the Texas State Board of Examiners of Perfusionists, which were created by the 73rd Legislature.
- Section 28. PUBLIC SAFETY. This committee has the jurisdiction of the former Public Safety Committee--  
**Plus:**  
(1) jurisdiction over the Division of Emergency Management and the Emergency Management Council, which is transferred from the State Affairs Committee, and the Advisory Commission on Emergency Communications, which was not previously assigned to a committee under the rules.
- Section 29. REDISTRICTING. No change.
- Section 30. RULES AND RESOLUTIONS. This committee has the jurisdiction of the former Rules and Resolutions Committee--  
**Minus:**  
(1) jurisdiction over congratulatory and memorial motions, which have been eliminated.
- Section 31. STATE AFFAIRS. This committee has the jurisdiction of the former State Affairs Committee--  
**Minus:**  
(1) jurisdiction over the Texas Public Finance Authority and the Bond Review Board, which are transferred to the new Financial Institutions Committee;  
(2) jurisdiction over the Division of Emergency Management and the Emergency Management Council, which are transferred to the Public Safety Committee; and  
(3) jurisdiction over the Texas Advisory Commission on Intergovernmental Relations, the Board for Lease of Texas Prison Lands, the Texas Surplus Property Agency, and the Productivity Bonus Commission, which were abolished.
- Section 32. STATE, FEDERAL, AND INTERNATIONAL RELATIONS. This committee has the jurisdiction of the former International and Cultural Relations Committee--  
**Minus:**  
(1) jurisdiction over the Texas Historical Resources Development Council, which was abolished.
- Section 33. STATE RECREATIONAL RESOURCES. This is a new committee with the parks and wildlife-related jurisdiction of the former Agriculture and Wildlife Management Committee, combined with general subject matter jurisdiction over recreational activities.
- Section 34. TRANSPORTATION. No change.

- Section 35. URBAN AFFAIRS. This committee has the jurisdiction of the former Urban Affairs Committee--  
**Minus:**  
(1) implied jurisdiction over annexation, which is transferred to the new Land and Resource Management Committee; and  
(2) implied jurisdiction over gang violence, which is transferred to the new Juvenile Justice and Family Issues Committee.
- Section 36. WAYS AND MEANS. No change.

#### **Rule 4--Organization, Powers, and Duties of Committees**

6. A provision has been added to prohibit the representative of a district whose member-elect has not taken the oath of office before the end of the ninth day of the session from selecting a committee on the basis of seniority. Committee appointments on behalf of that district shall be designated by district number.  
**(Rule 4, Section 2(d)--pages 47-48)**
7. The restriction that prohibited the chair of the Committee on Ways and Means from serving on more than one substantive committee has been removed.  
**(Rule 4, Section 4(2)--page 48)**
8. The provisions relating to providing a copy of the bill analysis to members of the committee have been clarified to specify that this must be done before the bill is laid out in a committee meeting.  
**(Rule 4, Section 7--page 49)**
9. The provisions relating to filing committee minutes with the chief clerk have been changed to allow 5 days for the preparation of the minutes on the general appropriations bill.  
**(Rule 4, Section 18(b)--pages 55-56)**
10. Consistent with current practice, a provision has been added to require committee minutes to be time-stamped when filed with the chief clerk.  
**(Rule 4, Section 18(b)--page 56)**
11. The provisions relating to witness affirmation forms have been clarified to require witness affirmation forms to be completed only by those persons recognized by the chair to address the committee (i.e., testify).  
**(Rule 4, Section 20--pages 56-57)**
12. In anticipation of developing a standard format for the summary of committee action, the provisions relating to the summary of committee action have been moved to permit the summary to be either a part of the bill analysis or a separate part of the committee report. The provisions relating to the listing of witnesses in the summary of committee action have also been clarified to specify that the names of only those persons who were recognized by the chair to address the committee must be included in the summary.  
**(Rule 4, Section 32(b)(9) and former Section 32(c)(6)--pages 63 and 64-65;  
Rule 12, Section 1(a)(1)(B)--page 164)**
13. The provisions relating to the required elements of the rulemaking authority statement in the bill analysis have been changed to require the rulemaking authority statement to merely indicate whether or not additional rulemaking authority is delegated, and, if so, to identify the sections of the measure in which that rulemaking authority is delegated.  
**(Rule 4, Section 32(c)(4)--page 64)**
14. A requirement has been added that the bill analysis must contain a brief explanation of each amendment adopted by the committee.  
**(Rule 4, Section 32(c)(6)--page 64)**

15. The provisions relating to fiscal notes and impact statements have been changed:
  - a. The author's fiscal statements have been eliminated.
  - b. The detail relating to what must be contained in the fiscal note has been removed.
  - c. All other impact statements will be required to be requested by the chair of the committee through the Legislative Budget Board.
  - d. Fiscal notes will still be required to be present before a committee hearing can be held and to be attached to the committee report. For all other impact statements, committee and floor consideration can proceed without the impact statement. The impact statement shall be provided to the members when it becomes available.

**(Rule 4, Sections 33, 34, and former Sections 34, 35, and 36--pages 65-76;**

**Rule 2, former Section 1(a)(6) pages 9-10;**

**Rule 4, Section 32(b)(5) and former Sections 32(b)(9-10)--pages 63-64;**

**Rule 12, Sections 1(a)(1)(E-F) and former Sections 1(a)(1)(G-I)--page 164)**

16. A provision has been added to require the chair of a committee to file a list of the members of the subcommittee for oversight with the chief clerk when the subcommittee has been appointed.

**(Rule 4, Section 43--page 79)**

### **Rule 5--Floor Procedure**

17. The provisions of the rules that permitted a member to record a vote with the journal clerk within one hour of the time a record vote was closed have been eliminated. Members who were absent will still be permitted to record a statement as to how they would have voted had they been present.

**(Rule 5, Sections 45 and 49--pages 99-100 and 101;**

**Rule 2, Sections 2(1)(M-O)--page 15)**

### **Rule 6--Order of Business and Calendars**

No changes have been made other than conforming changes necessary to implement items #20 and #21 below.

### **Rule 7--Motions**

No changes.

### **Rule 8--Bills**

18. Provisions have been added describing in detail the procedures that must be used to become a coauthor or joint author of a house measure or to become a joint sponsor or cosponsor of a senate measure. The signature of the primary author is the only signature that should appear on an original house measure. All coauthors and joint authors of house measures shall sign the appropriate forms in the chief clerk's office. Joint sponsors and cosponsors of senate measures shall be designated by the chair of the committee when the measure is reported.

**(Rule 8, Section 5--pages 138-140; Rule 4, Section 32(b)(8)--page 63)**

19. Due to the changes relating to impact statements, the number of copies of a bill or resolution required to be filed with the chief clerk has been reduced.

**(Rule 8, Section 9--page 141)**

### **Rule 9--Joint Resolutions**

20. Provisions have been added to clarify that measures applying to Congress for a convention to amend the Constitution of the United States shall take the form of a joint resolution.  
(Rule 9, Section 2--page 152; Rule 6, Section 7(a)(3)--page 108)

### **Rule 10--House Resolutions and Concurrent Resolutions**

21. The provisions relating to congratulatory and memorial motions have been eliminated and the restrictions relating to congratulatory and memorial resolutions have been removed.  
(Rule 10, former Sections 2 and 9--pages 154 and 155-156;  
Rule 2, Section 1(a)(2)--page 9; Rule 2, Section 2(1)(C)--page 14;  
Rule 6, Sections 7(a)(8-9)--pages 109-110; Rule 6, Sections 11 and 12--pages 111-112)

### **Rule 11--Amendments**

22. The provisions relating to pre-filing copies of multi-page substitute amendments have been clarified to state that the copies must merely be pre-filed 12 hours before the time the calendar is scheduled to be considered. The chief clerk's office will be open for an adequate amount of time during this period, but they will not be required to be open for the entire 12-hour period. Also, copies of an amendment will be required to be pre-filed again if the measure is recommitted or returned to committee.  
(Rule 11, Section 6(e)--page 159)

### **Rule 12--Printing**

No changes have been made, other than a conforming change needed for the implementation of item #15 above.

### **Rule 13--Interactions with the Governor and Senate**

No changes.

### **Rule 14--General Provisions**

No changes.